

**3177. Adulteration of dressed chickens. U. S. v. 5 Boxes and 3 Boxes of Dressed Chickens. Consent decree of condemnation and destruction. (F. D. C. No. 6610. Sample No. 62442-E.)**

On December 6, 1941, the United States attorney for the Northern District of Illinois filed a libel against 8 boxes of dressed chickens at Chicago, Ill., alleging that the article had been shipped in interstate commerce on December 1, 1941, by Vilas & Co., from Storm Lake, Iowa; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Boxes) "Pine Brand Fryers [or "Roasters"]."

On January 20, 1942, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**MISCELLANEOUS**

**3178. Adulteration of rabbits. U. S. v. 240 Rabbits. Default decree of condemnation and destruction. (F. D. C. No. 6778. Sample No. 75883-E.)**

Examination showed that this product was decomposed.

On January 29, 1942, the United States attorney for the District of Massachusetts filed a libel against 240 rabbits in various wooden containers at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about November 14, 1940, by Hallren Poultry & Creamery Co. from Enid, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On March 2, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3179. Adulteration of horse and cattle meat. U. S. v. Benjamin Braverman. Plea of guilty. Fine, \$250. Jail sentence, 30 days. (F. D. C. No. 2123. Sample No. 86341-D.)**

Examination showed that this product consisted of flesh and organs of diseased animals.

On April 15, 1942, the grand jurors of the United States for the Southern District of New York returned an indictment against Benjamin Braverman (of Newark, N. J.), alleging shipment on or about January 17, 1940, from Briggs Station, N. Y., into the State of New Jersey of a quantity of the above-named product which was alleged to be adulterated in that it was in whole or in part the flesh and organs of diseased animals or of animals which had died other than by slaughter.<sup>1</sup>

On May 15, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$250 and a sentence of 30 days in jail.

**3180. Adulteration of horse and cattle meat. U. S. v. Charles H. Lang. Plea of guilty. Fine, \$250. Jail sentence, 30 days. (F. D. C. No. 2122. Sample No. 86341-D.)**

Examination showed that this product consisted of flesh and organs of diseased animals.

On April 15, 1942, the grand jurors of the United States for the Southern District of New York returned an indictment against Charles H. Lang at Briggs Station, N. Y., alleging delivery to Benjamin Braverman, on or about January 17, 1940, for introduction into interstate commerce from the State of New York into the State of New Jersey of a quantity of the above-named product which was alleged to be adulterated in that it was in whole or in part the flesh and organs of diseased animals or of animals which had died other than by slaughter.

On May 15, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$250 and a sentence of 30 days in jail. On May 29, 1942 the jail sentence was reduced to the time already served.

**NUTS AND NUT PRODUCTS**

**3181. Adulteration of sliced Brazil nuts. U. S. v. 5½ Cartons of Sliced Brazil Nuts. Default decree of condemnation and destruction. (F. D. C. No. 6730. Sample No. 48670-E.)**

Examination showed the presence of decomposed nuts.

On January 16, 1942, the United States attorney for the Middle District of Georgia filed a libel against 5½ cartons of sliced Brazil nuts at Macon, Ga.,

<sup>1</sup>The first count of the indictment charged violation of the Horse Meat Act of which defendant was also found guilty and to which conviction the fine and sentence were also applicable.

alleging that the article had been shipped in interstate commerce on or about December 16, 1941, by T. M. Duche & Sons from New York, N. Y.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On February 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3182. Adulteration of Brazil nuts. U. S. v. 9 Bags of Brazil Nuts. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 6158. Sample No. 70026-E.)**

Examination of this product showed the presence of moldy and rancid nuts.

On or about November 10, 1941, the United States attorney for the Southern District of Florida filed a libel against 9 bags of Brazil nuts at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about September 17, 1941, by T. M. Duche & Sons from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "World Brand New Crop Large Medium Brazils."

On January 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution since they were for the most part fit for human consumption. The unfit nuts were segregated and destroyed.

**3183. Adulteration of Brazil nuts. U. S. v. 133 Bags of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 6508. Sample No. 74595-E.)**

Examination of this product showed the presence of moldy, rancid, and decomposed nuts.

On December 15, 1941, the United States attorney for the Southern District of New York filed a libel against 133 bags, each containing approximately 100 pounds, of Brazil nuts at New York, N. Y., alleging that the article had been shipped on or about June 1, 1941, by Higson & Co. from Para, Brazil; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Tropical Brand \* \* \* Brazils."

On January 24, 1942, Wm. A. Camp Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that those nuts unfit for human consumption be segregated and destroyed under the supervision of the Food and Drug Administration.

**3184. Adulteration of mixed nuts. U. S. v. 89 Cartons of Mixed Nuts. Consent decree of condemnation. Product released under bond for reconditioning. (F. D. C. No. 6361. Sample No. 74836-E.)**

Examination of this product showed the presence of moldy, rancid, and decomposed Brazil nuts.

On or about December 9, 1941, the United States attorney for the District of New Jersey filed a libel against 89 cartons of mixed nuts at Bayonne, N. J., alleging that the article had been shipped in interstate commerce on or about November 5 and 21, 1941, by J. Stanley & Co. from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Poppy Brand Choice Mixed Nuts."

On March 25, 1942, Biddle Purchasing Co., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the Brazil nuts and any others that might be unfit for food.

**3185. Adulteration of pecan pieces. U. S. v. 20 Cartons of Pecan Pieces. Default decree of condemnation and destruction. (F. D. C. No. 6930. Sample No. 84250-E.)**

This product was contaminated with *Escherichia coli*.

On February 25, 1942, the United States attorney for the Southern District of New York filed a libel against 20 60-pound cartons of pecan pieces at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 31, 1942, by Dasher Pecan Co. from Valdosta, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a